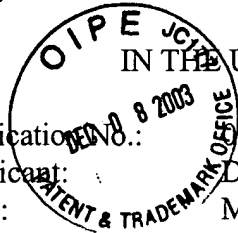


Application No. 09/517,983
Petition Under 37. C.F.R. §1.47(a)
Reply to Office Action of June 6, 2003

Application No.: 09/517,983
Applicant: Dean BOYD *et al.*
Filed: March 3, 2000
TC/A.U.: 3628
Examiner: Ms. Debra Charles



Confirmation No.: 5567

Atencia Lewis
#12
3.5.05

Attorney Docket No.: 82001-0313
Customer No.: 24633

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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PETITION UNDER 37 C.F.R. §1.47(a)

Dear Sir:

Applicants hereby petition under 37 C.F.R. §1.47(a) to file the present application without the signatures of two (2) of the inventors on a Supplemental Declaration. Submitted herewith is a joint Supplemental Declaration identifying the present application by application number and by filing date. The joint Supplemental Declaration is signed by all except six of the inventors (Mike Gordon, Chia Hung, Mudita Purang, Prabhakar Krishnamurthy, Mark Cooke, Ravi Nandiwada, Brian Monteiro and Stephen M. Haas) and has blank signature blocks for the non-signing inventors (Dean Boyd, Jorgen Andersson, Feng Yang, Anapama Kolamala, Greg Cook and Thomas E. Guardino). In accordance with MPEP §409.03(a)(A), this Joint Supplemental Declaration may be treated as having been signed by all the available inventors on behalf of the nonsigning inventors. Further submitted herewith is a copy of the originally submitted Declaration that is properly executed by another four of the inventors (Messrs. Boyd, Kolamala, Cook, and Guardino).

Further attached herewith is a Declaration in Support of the Petition under 37 C.F.R. §1.47(a) [hereafter the "Declaration"] describing the diligent efforts made to contact the non-signing inventors, Messrs. Andersson and Yang, who either refuse to sign the joint Supplemental Declaration or cannot be located. As further described in the Declaration, Andersson and Yang

OK

Application No.: 09/517,983
Petition Under 37 CFR §1.47(a)
Response to Office Action dated December 8, 2003
In reply to Office Action mailed June 6, 2003

were employees of the assignee of the present application during the time of invention and are under a legal obligation to sign an Oath or Declaration.

The last known address for Mr. Andersson is:

201 Mallorca Way Apt. 14, San Francisco, CA 94123-1526.

The last known address for Mr. Yang is:

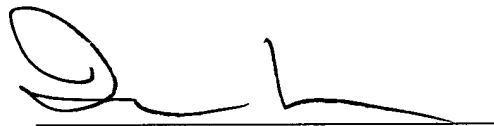
10870 N. Stelling Road #27H, Sunnyvale, CA 94086.

Also submitted herewith is a check for the Petition fee of \$130 as specified in 37 CFR §1.17(h). Please charge any deficiencies and credit any overpayment to the Deposit Account No. 50-1359 of the undersigned.

Respectfully submitted,

Dated: December 8, 2003

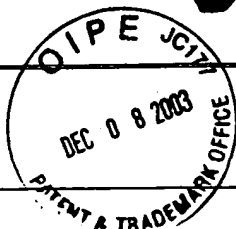
By:



Celine Jimenez Crowson
Registration No. 40,357

Hogan & Hartson, L.L.P.
555 Thirteenth St., N.W.
Washington, DC 20004
Telephone: 202-637-5703
Facsimile: 202-637-5910
Customer No. 24633

David D. Nelson
Registration No. 47,818



SUPPLEMENTAL DECLARATION FOR PATENT APPLICATION

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

ATTORNEY DOCKET NO. 82001-0313

As a below named inventors, WE hereby declare that:

OUR residence, post office address and citizenship are as stated below next to our name,

WE believe WE are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TARGET PRICE SYSTEM

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the specification of which:

☐ is attached hereto; or☒ was filed as United States application Serial No. 09/517,983 on March 3, 2000; or

was filed as PCT international application Number _____ on _____ and was amended under PCT Article 19 on _____ (if applicable).

WE hereby state that WE have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

WE acknowledge the duty to disclose to the U.S. Patent and Trademark Office information which is material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

WE hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR FOREIGN APPLICATION(S):

COUNTRY (if PCT, indicate PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			<input type="checkbox"/> Yes <input type="checkbox"/> No

WE hereby claim the benefits under Title 35, United States Code §119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATIONS

U.S. PROVISIONAL APPLICATION NO.	U.S. FILING DATE
60/123,345	March 5, 1999
60/122,958	March 5, 1999
60/178,501	January 27, 2000

Supplemental Declaration For Patent Application - (Continued)
(includes Reference to PCT International Applications)

ATTORNEY DOCKET NO. 82001-0313
Page 2

WE hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of any PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided, by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT:

U.S. APPLICATIONS		STATUS (Check One)		
U.S. APPLICATION NO.	U.S. FILING DATE	PATENTED	PENDING	ABANDONED

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Direct Telephone Calls To:
(name and telephone number)

Celine Jimenez Crowson
202-637-5703

GROUP 3600

WE hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF FIRST INVENTOR	Dean Boyd		
RESIDENCE & CITIZENSHIP	36245 Wagner Lane Cottage Grove, Oregon 97424		COUNTRY OF CITIZENSHIP United States
POST OFFICE ADDRESS	36245 Wagner Lane, Cottage Grove, Oregon 97424		
FIRST INVENTOR'S SIGNATURE			DATE

Names of additional inventors attached ☒ YES ☐ NO

Supplemental Declaration For Patent Application - (Continued)
(includes Reference to PCT International Applications)

ATTORNEY DOCKET NO. 82001-0318
Page 3

FULL NAME OF SECOND INVENTOR	Mike Gordon	
RESIDENCE & CITIZENSHIP	643 Ventura San Mateo, California 94403	COUNTRY OF CITIZENSHIP United States
POST OFFICE ADDRESS	643 Ventura, San Mateo, California 94403	
SECOND INVENTOR'S SIGNATURE	<i>Mike Gordon</i>	DATE <i>15 Sep 03</i>
Names of additional inventors attached <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		

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GROUP 3600

Supplemental Declaration For Patent Application - (Continued)
(includes Reference to PCT International Applications)

ATTORNEY DOCKET NO. 82001-0313
Page 4

FULL NAME OF THIRD INVENTOR	Jorgen Andersson	
RESIDENCE & CITIZENSHIP	231 S. Bayview Avenue #20 Sunnyvale, California 94086	COUNTRY OF CITIZENSHIP Sweden
POST OFFICE ADDRESS	231 S. Bayview Avenue, #20, Sunnyvale, California 94086	
THIRD INVENTOR'S SIGNATURE		DATE
Names of additional inventors attached <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		

Supplemental Declaration For Patent Application - (Continued)
(includes Reference to PCT International Applications)ATTORNEY DOCKET NO. 82001-0313
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FULL NAME OF FOURTH INVENTOR	Chia Hung C.T. Charles Tai	
RESIDENCE & CITIZENSHIP	1607 Longspur Avenue Sunnyvale, California 94086	COUNTRY OF CITIZENSHIP United States <i>Taiwan</i>
POST OFFICE ADDRESS	1607 Longspur Avenue, Sunnyvale, California 94086	
FOURTH INVENTOR'S SIGNATURE	<i>Chia Hung Charles Tai</i>	DATE <i>9-21-03</i>
Names of additional inventors attached <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		

Supplemental Declaration For Patent Application - (Continued)
(includes Reference to PCT International Applications)

ATTORNEY DOCKET NO. 82001-0313
Page 6

FULL NAME OF FIFTH INVENTOR	Feng Yang	
RESIDENCE & CITIZENSHIP	683 Garland Avenue, #63 Sunnyvale, California 94086	COUNTRY OF CITIZENSHIP Canada
POST OFFICE ADDRESS	683 Garland Avenue, #63, Sunnyvale, California 94086	
FIFTH INVENTOR'S SIGNATURE		DATE
Names of additional inventors attached <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		

Supplemental Declaration For Patent Application - (Continued)
(includes Reference to PCT International Applications)

ATTORNEY DOCKET NO. 82001-0313
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FULL NAME OF SIXTH INVENTOR	Anapama Kolamala	
RESIDENCE & CITIZENSHIP	500 W. Middlefield Road, #189 Mt. View, California 94043	COUNTRY OF CITIZENSHIP United States
POST OFFICE ADDRESS	500 W. Middlefield Road, #189, Mt. View, California 94043	
SIXTH INVENTOR'S SIGNATURE		DATE
Names of additional inventors attached <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		

Supplemental Declaration For Patent Application - (Continued)
(includes Reference to PCT International Applications)

ATTORNEY DOCKET NO. 82001-0313
Page 8

FULL NAME OF SEVENTH INVENTOR	Greg Cook	
RESIDENCE & CITIZENSHIP	1249 Kern Court Mt. View, California 94041	COUNTRY OF CITIZENSHIP United States
POST OFFICE ADDRESS	1249 Kern Court, Mt. View, California 94041	
SEVENTH INVENTOR'S SIGNATURE		DATE
Names of additional inventors attached <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		

Supplemental Declaration For Patent Application - (Continued)
(includes Reference to PCT International Applications)

ATTORNEY DOCKET NO. 82001-0313
Page 9

FULL NAME OF EIGHTH INVENTOR	Thomas E. Guardino	
RESIDENCE & CITIZENSHIP	1033 Forrester Way Eugene, Oregon 97401	COUNTRY OF CITIZENSHIP United States
POST OFFICE ADDRESS	1033 Forrester Way, Eugene, Oregon 97401	
EIGHTH INVENTOR'S SIGNATURE		DATE
Names of additional inventors attached <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		

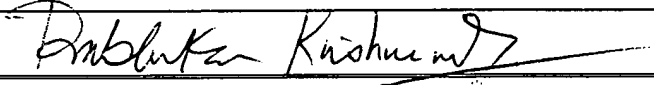
Supplemental Declaration For Patent Application - (Continued)
(includes Reference to PCT International Applications)

ATTORNEY DOCKET NO. 82001-0313
Page 10

FULL NAME OF NINTH INVENTOR	Mudita Purang	
RESIDENCE & CITIZENSHIP	180 Elm Court #1010 Sunnyvale, California 94086	COUNTRY OF CITIZENSHIP India
POST OFFICE ADDRESS	180 Elm Court #1010, Sunnyvale, California 94086	
NINTH INVENTOR'S SIGNATURE	<i>Mudita Purang</i>	DATE 10/2/2003
Names of additional inventors attached <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		


Supplemental Declaration For Patent Application - (Continued)
(includes Reference to PCT International Applications)

ATTORNEY DOCKET NO. 82001-0313
Page 11

FULL NAME OF TENTH INVENTOR	Prabhakar Krishnamurthy	
RESIDENCE & CITIZENSHIP	3085 Boardwalk Street Pleasanton, California 94018	COUNTRY OF CITIZENSHIP United States
POST OFFICE ADDRESS	3085 Boardwalk Street, Pleasanton, California 94018	
TENTH INVENTOR'S SIGNATURE		DATE 15 th Sept '20
Names of additional inventors attached <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		

Supplemental Declaration For Patent Application - (Continued)
(includes Reference to PCT International Applications)

ATTORNEY DOCKET NO. 82001-0313
Page 12

FULL NAME OF ELEVENTH INVENTOR	Mark Cooke		
RESIDENCE & CITIZENSHIP	P.O. Box 272 El Granada, California 94018		COUNTRY OF CITIZENSHIP United States
POST OFFICE ADDRESS	P.O. Box 272, El Granada, California 94018		
ELEVENTH INVENTOR'S SIGNATURE			DATE 10-17-2003
Names of additional inventors attached <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			

Supplemental Declaration For Patent Application - (Continued)
(includes Reference to PCT International Applications)

ATTORNEY DOCKET NO. 82001-0313
Page 13

FULL NAME OF TWELFTH INVENTOR	Ravi Nandiwada	
RESIDENCE & CITIZENSHIP	7110 Rainbow Drive, Apt. 13 San Jose, California 95129	COUNTRY OF CITIZENSHIP India
POST OFFICE ADDRESS	7110 Rainbow Drive, Apt. 13, San Jose, California 95129	
TWELFTH INVENTOR'S SIGNATURE	<i>N. V. Rajhede</i>	DATE 9/22/03
Names of additional inventors attached <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		

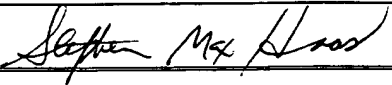
Supplemental Declaration For Patent Application - (Continued)
(includes Reference to PCT International Applications)

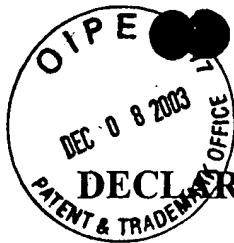
ATTORNEY DOCKET NO. 82001-0313
Page 14

FULL NAME OF THIRTEENTH INVENTOR	Brian Monteiro		
RESIDENCE & CITIZENSHIP	20790 Apollo Terrace Ashburn, Virginia 20147-2824		COUNTRY OF CITIZENSHIP India
POST OFFICE ADDRESS	20790 Apollo Terrace, Ashburn, Virginia 20147-2824		
THIRTEENTH INVENTOR'S SIGNATURE	<i>Brian Monteiro</i>		DATE 10/06/2003
Names of additional inventors attached . <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			

Supplemental Declaration For Patent Application - (Continued)
(includes Reference to PCT International Applications)

ATTORNEY DOCKET NO. 82001-0313
Page 15

FULL NAME OF FOURTEENTH INVENTOR	Stephen Max Haas	
RESIDENCE & CITIZENSHIP	260 Arlington Way Menlo Park, California 94025	COUNTRY OF CITIZENSHIP United States
POST OFFICE ADDRESS	260 Arlington Way, Menlo Park, California 94025	
FOURTEENTH INVENTOR'S SIGNATURE		DATE 9/11/03
Names of additional inventors attached <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

(X) Original () Supplemental () Substitute () PCT

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As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "**TARGET PRICING SYSTEM**", which is described and claimed in the specification

(check one) ☐ which is attached hereto, or
 ☒ which was filed on March 3, 2000, as United States Application No. 09/517,983
 ☐ in International Application No. PCT/, filed , and as amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information known by me to be material to the patentability of the claims of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code §119 (a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATIONS: (ENTER BELOW IF APPLICABLE)			PRIORITY CLAIMED (MARK APPROPRIATE BOX BELOW)	
APP. NUMBER	COUNTRY	DAY/MONTH/YEAR FILED	YES	NO

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER	FILING DATE
60/123,345	March 5, 1999
60/122,958	March 5, 1999

60/178,501

January 27, 2000

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information known by me to be material to the patentability of the claims of this application as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	FILING DATE	STATUS (MARK APPROPRIATE COLUMN BELOW)		
		PATENTED	PENDING	ABANDONED

I hereby appoint the following attorneys and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

William H. Needle	Reg. No. 26,209	Jacqueline M. Hutter	Reg. No. 44,792
Sumner C. Rosenberg	Reg. No. 28,753	Matthew D. Josephic	Reg. No. 43,699
David G. Perryman	Reg. No. 33,428	David S. Kerven	Reg. No. 43,712
Mitchell A. Katz	Reg. No. 33,919	Lori L. Kerber	Reg. No. 41,113
Gregory J. Kirsch	Reg. No. 35,572	Janice A. Kimpel	Reg. No. 42,734
Gwendolyn D. Spratt	Reg. No. 36,016	Tina W. McKeon	Reg. No. 43,791
Nagendra Setty	Reg. No. 38,300	Mary L. Miller	Reg. No. 39,303
D. Andrew Floam	Reg. No. 34,597	Mark A. Murphy	Reg. No. 42,915
William R. Johnson	Reg. No. 32,875	Lance D. Reich	Reg. No. 42,097
Allan G. Altera	Reg. No. 40,274	Lisa A. Samuels	Reg. No. 43,080
Bryan W. Bockhop	Reg. No. 39,613	Lawrence A. Villanueva	Reg. No. 43,968
John L. Capone	Reg. No. 41,656	Mitchell G. Weatherly	Reg. No. 40,864
Kean J. DeCarlo	Reg. No. 39,954	Tim T. Xia	Reg. No. 45,242
LaVonda R. DeWitt	Reg. No. 40,396		

Address all telephone calls to Lance D. Reich at telephone no. (404) 688-0770.

Address all correspondence to:

Lance D. Reich, Esq.
 NEEDLE & ROSENBERG, P.C.
 Suite 1200, The Candler Building
 127 Peachtree Street, N.E.
 Atlanta, Georgia 30303-1811

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with

the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Dean Boyd

Inventor's signature: Dean Boyd

Date: 21 March 2000

Residence: 36245 Wagner Lane
Cottage Grove, Oregon 97424

Post Office Address:

Citizenship: U.S.A.

Full name of second inventor: Mike Gordon

Inventor's signature: Mike Gordon

Date: 31 Mar 00

Residence: 643 Ventura
Post Office Address: San Mateo, California 94403
Citizenship: U.S.A.

Full name of third inventor: Jorgen Anderson
~~Andersson~~

Inventor's signature: Jorgen Anderson

Date: 03/31/2000

Residence: ~~801 Church Street
Apt. 1226
Mr. View, California 94041~~

231 S Bayview Ave #20
Sunnyvale, CA 94086
USA

31

Post Office Address:

Citizenship: ~~USA~~
Sweden

Full name of fourth inventor: *Chia-Hung* Charles Tai

Inventor's signature: *Chia-Hung Tai*

Date: 5/12/2000

Residence: 1607 Longspur Avenue
Sunnyvale, California 94086

Post Office Address:

Citizenship: U.S.A.

Full name of fifth inventor: Feng Yang

Inventor's signature: *Feng Yang*

Date: 3/31/2000

Residence: 683 Garland Avenue, #63
Sunnyvale, California 94086

Post Office Address:

Citizenship: ~~U.S.A.~~ Canada

Full name of sixth inventor: Anupama Kolamala

Inventor's signature: *Anupama C*

Date: 5/12/2000

Residence: 500 W. Middlefield Road, #189
Mt. View, California 94043

Post Office Address:

Citizenship: U.S.A.

Full name of seventh inventor: Greg Cook

Inventor's signature: *Greg Cook*

Date: 3/31/2000

Residence: 1249 Kern Court
Mt. View, California 94041

Post Office Address:

Citizenship: U.S.A.

Full name of eighth inventor: Thomas Guardino

Inventor's signature: 

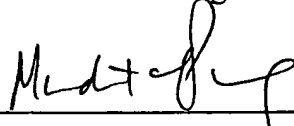
Date: 3/23/00

Residence: 1033 Forrester Way
Eugene, Oregon 97401

Post Office Address:

Citizenship: U.S.A.

Full name of ninth inventor: Mudita Purang

Inventor's signature: 

Date: 3/31/2000

Residence: 1240 Vincente Drive, Apt. A
Sunnyvale, California 94086

Post Office Address:

Citizenship: ~~U.S.A.~~ INDIA

Full name of tenth inventor: Prabhakar Krishnamurthy

Inventor's signature: _____

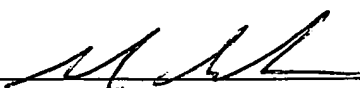
Date: _____

Residence: 3085 Boardwalk Street
Pleasanton, California 94018

Post Office Address:

Citizenship: U.S.A.

Full name of eleventh inventor: Mark Cooke

Inventor's signature: 

Date: 3-31-2000

Residence: Post Office Box 272
El Granada, California 94018

Post Office Address:

Citizenship: U.S.A.

Full name of eighth inventor: Thomas Guardino

Inventor's signature: 

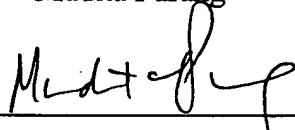
Date: 3/23/00

Residence: 1033 Forrester Way
Eugene, Oregon 97401

Post Office Address:

Citizenship: U.S.A.

Full name of ninth inventor: Mudita Purang

Inventor's signature: 

Date: 3/31/2000

Residence: 1240 Vincente Drive, Apt. A
Sunnyvale, California 94086

Post Office Address:

Citizenship: ~~U.S.A.~~ INDIA

Full name of tenth inventor: Prabhakar Krishnamurthy

Inventor's signature: x 

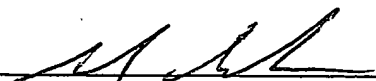
Date: x 5/22/2000

Residence: 3085 Boardwalk Street
Pleasanton, California ~~94518~~
94588

Post Office Address:

Citizenship: U.S.A.

Full name of eleventh inventor: Mark Cooke

Inventor's signature: 

Date: 3-31-2000

Residence: Post Office Box 272
El Granada, California 94018

Post Office Address:

Citizenship: U.S.A.

Full name of twelfth inventor: Ravi Nandiwada

Inventor's signature: N. V. Nandiwada

Date: 31ST MARCH 2000

Residence: 7110 Rainbow Drive, Apt. 13
San Jose, California 95129

Post Office Address:

Citizenship: USA INDIA

Full name of thirteenth inventor: Brian Monteiro

Inventor's signature: Brian Monteiro

Date: 3-31-2000

Residence: 1000 Escalon Avenue, Apt. H-3060
Sunnyvale, California 94086

Post Office Address:

Citizenship: USA INDIA

Full name of fourteenth inventor: Steve Haas

Inventor's signature: Stephen M. Haas

Date: 3/31/2000

Residence: 260 Arlington Way
Menlo Park, California 94025

Post Office Address:

Citizenship: U.S.A.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/517,983
Applicants : Dean BOYD et al.
Filing Date : March 3, 2003
T.C./Art Uni : 2768
Examiner : Debra F. CHARLES
For : TARGET PRICE SYSTEM

Confirmation No. 5567

Attorney Docket No. : 82001-0313
Customer Number : 24633

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GROUP 3600

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 20313-1450

DECLARATION IN SUPPORT OF PETITION UNDER 37 C.F.R. §1.47(a)

Sir:

In support of a Petition Under 37 C.F.R. 1.47(a) for the above-referenced patent application, I, David D. Nelson, declare that I am a registered Patent Attorney, Registration No. 47,818, that I represent Manugistics Atlanta, Inc. [the "Applicant"] in connection with the preparation and prosecution of the present patent application, and that I am authorized to make the following statements:

(1) The Applicant is a corporation of the state of Delaware and principally located at 9715 Key West Avenue, Rockville, MD 20850.

(2) Mr. Jorgen Andersson and Mr. Feng Yang were employees of a Talus, Inc., the Applicant's previous corporate identity. During their employment period, Mr. Andersson and Mr. Yang, as part of their employment duties, participated in the development of the invention disclosed of the present patent application. Under the terms of their employment, Mr. Andersson and Mr. Yang were required to assign the invention to the Applicant and to cooperate in any efforts related to patenting the invention.

(3) According to the Applicant's personnel records, the last known correspondence address for Mr. Andersson is:

231 S. Bayview Avenue #20
Sunnyvale, CA 94086.

(4) According to the Applicant's personnel records, a previous correspondence address for Mr. Yang was:

683 Garland Avenue #63,
Sunnyvale, CA 94086.

(5) On September 10, 2003, I sent to Mr. Andersson at his last known address a copy of the present application as filed, a declaration in accordance with 37 CFR §1.63, and instructions for Mr. Andersson to review the application and execute the declaration. A copy of this letter is appended as Attachment 1. On or about September 14, I received notice from FedEx Delivery Services that this letter could not be delivered because Mr. Andersson had moved and, because of the long time duration since the filing of the application, a forwarding address was not available.

(6) On September 10, 2003, I sent to Mr. Yang at his previous address a copy of the present application as filed, a declaration in accordance with 37 CFR §1.63, and instructions for Mr. Yang to review the application and execute the declaration. A copy of this letter is appended as Attachment 2. On or about September 14, I received notice from FedEx Delivery Services that this letter could not be delivered because Mr. Yang had moved and, because of the long time duration since the filing of the application, a forwarding address was not available.

(7) On September 10, 2003, I also sent letters to the other twelve inventors forwarding a copy of the present application as filed, a declaration in accordance with 37 CFR §1.63, and instructions for inventors to review the application and execute the declaration. Eight of these other inventors have executed and returned signed supplemental declarations.

(8) On numerous occasions, I attempted to search online for addresses for Mr. Andersson and Mr. Yang, but no addresses for the two inventors were listed in the state of California. A copy of exemplary online search results for Mr. Andersson and Mr. Yang are attached herewith as Attachment 3.

(9) Upon further inquiry, Applicant reviewed Mr. Yang's personnel records and located a second, more recent correspondence address at:

10870 N. Stelling Road #27H,
Sunnyvale, CA 94086.

(10) I attempted to locate Mr. Andersson and Mr. Yang using a commercial location service called Accurant. The service could not locate a more recent for Mr. Yang, but gave the following latest address for Mr. Andersson:

201 Mallorca Way Apt. 14,
San Francisco, CA 94123-1526

(11) On October 1, 2003, I sent to Mr. Yang at his most recent correspondence address a copy of the present application as filed , a declaration in accordance with 37 CFR §1.63, and instructions for Mr. Yang to review the application and execute the declaration. A copy of this letter is appended as Attachment 4. On or about October 4, 2003, I received notice from FedEx Delivery Services that this letter could not be delivered because Mr. Yang had moved from this location and, because of the long time duration since the filing of the application, a forwarding address was not available.

(12) On October 1, 2003, I sent to Mr. Andersson at his most recent address a copy of the present application as filed , a declaration in accordance with 37 CFR §1.63, and instructions for Mr. Andersson to review the application and execute the declaration. A copy of this letter is appended as Attachment 5. On or about October 6, 2003, I received notice from FedEx Delivery Services that this letter could not be delivered because Mr. Andersson had moved and, because

Application No. 09/517,983

Declaration In Support Of Petition Under 37 C.F.R. §1.47(A) dated December 8, 2003

Amendment dated December 8 2003

In reply to Office Action mailed June 6, 2003

of the long time duration since the filing of the application, a forwarding address was not available.

(13) I have attempted unsuccessfully on numerous occasions in the last four months to locate telephone numbers for these inventors through operator directory services.

(14) I have received no other response or correspondence from Mr. Andersson or Mr. Yang. I make this Declaration to prevent abandonment of the subject patent application as Mr. Andersson and Mr. Yang are required to execute the Supplemental Declaration but has not yet done so.

(14) Because of the extended time period between the initial submission of the patent application and this Patent Office's request for a supplemental declaration, locating the two non-signing inventors has quite difficult. Furthermore, neither Mr. Andersson nor Mr. Yang are citizens of the United States, and it is possible that they may no longer be in the country.

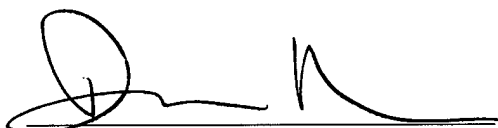
Application No. 09/517,983
Declaration In Support Of Petition Under 37 C.F.R. §1.47(A) dated December 8, 2003
Amendment dated December 8 2003
In reply to Office Action mailed June 6, 2003

I further declare that all statements made herein of my own knowledge are true; that all statements made on information and belief are believed to be true; that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001; and that such willful false statements may jeopardize the validity of the application or document or any resulting registration resulting therefrom.

Respectfully submitted,

Dated: December 8, 2003

By:

A handwritten signature in black ink, appearing to read 'David D. Nelson', written over a horizontal line.

David D. Nelson

Registration No. 47,818

Hogan & Hartson, L.L.P.
555 Thirteenth St., N.W.
Washington, DC 20004
Telephone: 202-637-6807
Facsimile: 202-637-5910
Customer No. 24633



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WASHINGTON, DC 20004-1109
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September 10, 2003

VIA FEDERAL EXPRESS

Mr. Jorgen Andersson
231 S. Bayview Avenue #20
Sunnyvale, California 94086

Re: U.S. Patent Application No. 09/517,983
Title: TARGET PRIC SYSTEM
Inventors: Dean BOYD et al.
Our Ref: 82001-0313

RECEIVED
DEC 12 2003
GROUP 3600

Dear Mr. Andersson:

Enclosed for your records is a copy of the application and figures as originally filed on March 3, 2000.

The original declaration that you signed at the original filing of this application was rejected by the U.S. Patent and Trademark Office for technical reasons. Thus, a supplemental Declaration form for your signature is also enclosed. Please execute the supplemental Declaration and return the signed document via facsimile or in the enclosed self-addressed Federal Express return envelopes provided for your convenience. When executing the supplemental Declaration, you will need to initial and date any change or addition.

Please feel free to contact me should you have any questions concerning this application.

Very truly yours,

David D. Nelson
David D. Nelson

CJC/DDN:dm

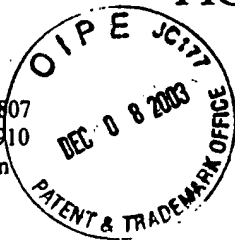
Enclosure: Supplemental Declaration for Patent Application

Letters sent to fellow inventors for signature: Dean Boyd, Mike Gordon, Chia Hung C.T. Charles Tai, Feng Yang, Anapama Kolamala, Greg Cook, Thomas E. Guardino, Mudita Purang, Prabhakar Krishnamurthy, Mark Cooke, Ravi Nandiwada, Brian Monteiro, and Stephen Max Haas

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FAX (202) 637-5910
WWW.HHLAW.COM

September 10, 2003

VIA FEDERAL EXPRESS

Mr. Feng Yang
683 Garland Avenue #63
Sunnyvale, California 94086

Re: U.S. Patent Application No. 09/517,983
Title: TARGET PRIC SYSTEM
Inventors: Dean BOYD et al.
Our Ref: 82001-0313

RECEIVED
DEC 12 2003
GROUP 3600

Dear Mr. Yang:

Enclosed for your records is a copy of the application and figures as originally filed on March 3, 2000.

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Very truly yours,

David D. Nelson
David D. Nelson

CJC/DDN:dm

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- [Jorgen Andersson Public Records Available. Search Here!](#)

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- Broaden your search by entering less information (ex. just enter last name)
- If you are unsure of the spelling of the last name, enter just the first few letters (in this case, omit the first name).
- [Feng Yang Public Records Available. Search Here!](#)

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October 1, 2003

VIA FEDERAL EXPRESS

Mr. Feng Yang
10870 N. Stelling Road #27H
Sunnyvale, California 94086

Re: U.S. Patent Application No. 09/517,983
Title: TARGET PRIC SYSTEM
Inventors: Dean BOYD et al.
Our Ref: 82001-0313

Dear Mr. Yang:

Enclosed for your records is a copy of the application and figures as originally filed on March 3, 2000.

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Very truly yours,


David D. Nelson

CJC/DDN:dm

Enclosure: Supplemental Declaration for Patent Application

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October 1, 2003

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Mr. Jorgen K. Andersson
201 Mallorca Way, Apt. 14
San Francisco, California 94123-1526

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Title: TARGET PRIC SYSTEM
Inventors: Dean BOYD et al.
Our Ref: 82001-0313

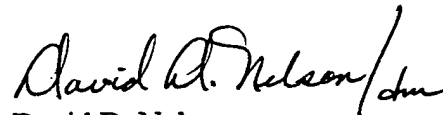
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